

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ROBERT KENNY,

Plaintiff,

v.

PACIFIC INVESTMENT  
MANAGEMENT COMPANY LLC, a  
Delaware limited liability company;  
PIMCO INVESTMENTS LLC,

Defendants.

No. C14-1987 RSM

**STIPULATION AND ORDER  
AMENDING ORDER SETTING TRIAL  
DATE AND RELATED DATES AND  
DEADLINES IN JOINT STATUS  
REPORT AND DISCOVERY PLAN**

Defendants Pacific Investment Management Company LLC and PIMCO Investments LLC (collectively, “Defendants”) and Plaintiff Robert Kenny (“Plaintiff”), through their undersigned counsel of record, hereby stipulate and agree as follows:

On November 5, 2015, the parties filed with the Court the Joint Status Report and Discovery Plan (Dkt. 50), wherein the parties agreed on certain deadlines for, among other things, completion of various discovery activities in this case. After the parties filed the Joint Status Report and Discovery Plan, Plaintiff served document requests on Defendants, and Defendants served responses and objections to those document requests.

On November 16, 2015, the Court entered its Order Setting Trial Date and Related Dates (Dkt. 51), wherein the Court set the trial date and related dates in this case.

STIPULATION AND [PROPOSED] ORDER  
(No. CV 14-1987-RSM) – 1

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1 As a result of the parties' good faith efforts to (a) meet and confer regarding Plaintiff's  
 2 document requests and Defendants' responses and objections thereto, (b) agree on appropriate  
 3 custodians from whom to collect documents likely to be responsive to Plaintiff's document  
 4 requests, (c) agree on search terms to use for purposes of document collection and review, and  
 5 (d) resolve discovery disputes arising from Plaintiff's document requests and Defendants'  
 6 responses and objections thereto, Defendants agreed to review several broad categories of  
 7 documents and information for documents responsive to Plaintiff's document requests.  
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 10  
 11 Defendants have employed a large team of reviewers – at times comprising more than 20  
 12 attorneys – that has been working full-time since January 14, 2016 to review documents  
 13 potentially responsive to Plaintiff's document requests. To date, Defendants have produced to  
 14 Plaintiff 357,868 pages of responsive documents. Defendants' document review and production  
 15 is continuing.  
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17  
 18 Based on the remaining volume of documents to be reviewed and the pace maintained by  
 19 the review team in the months of review to date, Defendants expect their document production to  
 20 be substantially complete by June 30, 2016. This date for substantial completion of production  
 21 of documents is three months later than the March 31, 2016 target for substantial completion of  
 22 document discovery memorialized in the parties' November 5, 2015 Joint Status Report and  
 23 Discovery Plan.  
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25  
 26 Accordingly, in light of the additional three months Defendants believe will be necessary  
 27 to substantially complete production of documents in response to Plaintiff's document requests,  
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29  
 30 IT IS HEREBY STIPULATED, by and among Plaintiff and Defendants, for good cause  
 31 shown, that the deadlines and dates reflected in the Court's Order Setting Trial Date and Related  
 32 Dates and the parties' Joint Status Report and Discovery Plan be extended by approximately  
 33 three months, as proposed below, subject to the Court's approval:  
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<b>Event in Order Setting Trial Date and Related Dates</b>	<b>Current Deadline</b>	<b>Revised Deadline</b>
Jury Trial Date	06/12/2017	09/19/2017
Disclosure of expert testimony under FRCP 26(a)(2)	12/14/2016	03/17/2017
All motions related to discovery must be noted on the motion calendar no later than the Friday before discovery closes pursuant to CR7(d)(3) and CR7(a)(2)(B)	02/10/2017	05/12/2017
Discovery completed by	02/13/2017	05/19/2017
All dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter (see CR7(d))	03/14/2017	06/16/2017
Mediation per CR 39.1(c)(3) held no later than	04/28/2017	07/28/2017
All motions in limine must be filed by and noted on the motion calendar no later than the THIRD Friday thereafter	05/15/2017	08/18/2017
Agreed pretrial order due	05/31/2017	09/01/2017
Trial briefs, proposed voir dire questions, jury instructions, neutral statement of the case, and trial exhibits due	06/17/2017	09/22/2017
<b>Event in Joint Status Report and Discovery Plan</b>	<b>Current Deadline</b>	<b>Revised Deadline</b>
Document discovery shall be substantially completed on or before	03/31/2016	06/30/2016
Fact discovery shall be completed on or before	07/15/2016	10/28/2016
Expert discovery shall commence promptly upon the closure of fact discovery and shall be completed on or before	01/13/2017	05/19/2017
Plaintiff shall designate any expert witnesses and serve each expert's written report pursuant to Fed. R. Civ. P. 26(a)(2)(B) on or before	09/09/2016	12/02/2016
Defendants shall designate any expert witnesses and serve each expert's report pursuant to Fed. R. Civ. P. 26(a)(2)(B) on or before	10/28/2016	02/03/2017

Plaintiffs shall serve any rebuttal expert reports from previously-designated experts on or before	11/30/2016	03/03/2017
Expert depositions shall be completed by	01/13/2017	05/19/2017

Dated: this 27th day of April, 2016.

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By: s/ Tana Lin

By: s/ Laura R. Gerber

By: s/ Ian Mensher

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Investments LLC*

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### ORDER

Pursuant to stipulation by the parties, and for good cause shown, **IT IS SO ORDERED**  
this 28<sup>th</sup> day of April, 2016.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE

Presented by:

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